

Exhibit 5

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: JUUL LABS, INC., MARKETING,
SALES PRACTICES, AND PRODUCTS
LIABILITY LITIGATION

No. 19-md-2913-WHO

This Document Relates to:

*San Francisco Unified School District v. Juul
Labs, Inc., et al.*, No. 3:19-cv-08177-WHO

**PLAINTIFF SAN FRANCISCO
UNIFIED SCHOOL DISTRICT'S
SUPPLEMENTAL RESPONSES AND
OBJECTIONS TO DEFENDANT
ALTRIA GROUP, INC.'S FIRST SET
OF INTERROGATORIES**

1 taking into account the substantial regulatory and legal contingencies relating to eVapor generally
 2 and JUUL products specifically.”⁴⁹² Willard emphasized that they were aligned on a “strategic
 3 vision as to how to grow the JUUL business rapidly.” ALTRIA sought to control the JLI business,
 4 with Willard writing that “we would require that, following the first two payments outlined above,
 5 ALTRIA (a) owns a majority of the JUUL equity and voting rights and (b) has the right to control
 6 generally the JUUL business.”⁴⁹³ ALTRIA and JLI’s leadership eventually agreed on ALTRIA
 7 purchasing a 35% stake in JLI for \$12.8 billion, the vast majority of which went to JLI’s leadership
 8 and other key shareholders.

9 Mint: During this time, ALTRIA agreed with JLI to work to keep mint on the market for
 10 as long as possible by deceiving the FDA and the public, in order to keep a flavor popular with
 11 youth available and drive youth sales. ALTRIA worked with JLI’s leadership to plan how ALTRIA
 12 could help expand JUUL’s sales, despite JUUL’s popularity with youth. A key part of this plan
 13 was keeping mint on the market and available to youth. On July 27, 2017, as JUUL sales began to
 14 rise dramatically, the FDA announced that it would be seeking input on “how best to protect public
 15 health in the evolving tobacco marketplace,” including “approaches to regulating kid-appealing
 16 flavors in e-cigarettes and cigars.”⁴⁹⁴ This included seeking comment on “the role that flavors
 17 (including menthol) in tobacco products play in attracting youth.”⁴⁹⁵ Shortly after this
 18 announcement, representatives from both JUUL (Gal Cohen) and ALTRIA (Phil Park) were
 19 invited to a meeting to “build a coalition and common agenda to influence or challenge FDA’s
 20 approach” to regulating flavors.⁴⁹⁶ With respect to flavors, the plan was to discuss whether the
 21
 22

23 ⁴⁹² ALGAT0004031645-46.

24 ⁴⁹³ *Id.*

25 ⁴⁹⁴ *FDA announces comprehensive regulatory plan to shift trajectory of tobacco-related disease,*
death, FDA (July 27, 2017), [https://www.fda.gov/news-events/press-announcements/fda-](https://www.fda.gov/news-events/press-announcements/fda-announces-comprehensive-regulatory-plan-shift-trajectory-tobacco-related-disease-death)
[announces-comprehensive-regulatory-plan-shift-trajectory-tobacco-related-disease-death](https://www.fda.gov/news-events/press-announcements/fda-announces-comprehensive-regulatory-plan-shift-trajectory-tobacco-related-disease-death).

26 ⁴⁹⁵ *Id.*

27 ⁴⁹⁶ JLI10678579.

1 Dated: August 6, 2021

Respectfully Submitted,

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